

ENTERED

January 25, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

BRYAN BOONE, TDCJ #1978777,

Plaintiff,

VS.

WARDEN MCKEE *et al.*,

Defendants.

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CIVIL ACTION NO. 5:22-CV-31

ORDER

After the Magistrate Judge issued a Report and Recommendation, the document was superseded by an Amended Report and Recommendation on January 3, 2023 (the “Amended Report”) (Dkt. Nos. 9, 13). In the Amended Report, the Magistrate Judge recommends (1) dismissing this case without prejudice for want of prosecution and (2) denying Plaintiff’s motion to proceed *in forma pauperis* as moot (*id.*). Plaintiff’s deadline to object lapsed on January 17, 2023 (*id.*). To date, the Court has not received any objections or communications from Plaintiff.¹

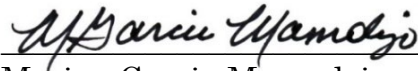
Having reviewed the Amended Report and finding no plain error, the Amended Report (Dkt. No. 13) is hereby **ADOPTED**. This case is **DISMISSED WITHOUT PREJUDICE** for want of prosecution. *See* Fed. R. Civ. P. 41(b). Plaintiff’s motion for leave to proceed *in forma pauperis* (Dkt. No. 2) is **DENIED AS MOOT**.

The Clerk of Court is **DIRECTED** to **TERMINATE** this action.

¹ The Court notes it has not received any communication from Plaintiff since August 2022 (Dkt. No. 6).

It is so **ORDERED**.

SIGNED January 25, 2023.

A handwritten signature in black ink, reading "Marina Garcia Marmolejo", written over a horizontal line.

Marina Garcia Marmolejo
United States District Judge